

The Borough of Narberth
Facility Use Policy and Regulations

The Policy

Narberth Borough recognizes the benefit of providing limited use of Borough facilities to approved groups and organizations and to the public.

Subject to the General Regulations set forth below, groups, committees, commissions, associations and organizations affiliated with The Borough of Narberth, or which primarily serve residents of The Borough of Narberth (hereinafter, "Group" or "Groups"), as well as individual residents of The Borough of Narberth, are permitted to reserve certain Borough facilities ("Facilities") for limited use.

Reservations shall be subject to the approval of the Borough Manager. The Borough Manager may appoint a designee or designees to review and approve or deny applications for reserved use of the Facilities.

None of the Regulations below shall be interpreted to limit or preclude the use of the Facilities by the Borough for municipal or recreational purposes and any other purpose permitted by law as allowed by the Borough Manager at the Manager's discretion.

The Regulations

The following regulations relate to the use of Facilities. Exceptions to the regulations require the approval of Borough Council, unless noted as being at the discretion of the Borough Manager.

1. Facilities Available

The following Borough-owned facilities are governed by this policy:

Facility	Referred to As	Use*
100 Conway Avenue Large 2 nd Floor Multipurpose Room	Multipurpose Room	Public/Private
100 Conway Avenue 2 nd Floor Council Meeting Room	Council Room	Public/Private
100 Conway Avenue 2 nd Floor Small Meeting Room	Small Meeting Room	Public

*Refer to Sections 5(a) and 5(b) for definitions of Public and Private use.

Use of any of the above Facilities includes access to the reserved room via hallways and common areas, and use of public restrooms in the same building. In reserving the Facilities, Groups or individuals agree to accept the Facilities in their "as is" condition.

2. Facility Use Hours

The Facilities may be reserved for one-time/nonrecurring events from 8:00 a.m. until 11:00 p.m. Friday through Sunday, subject to availability and discretion of the Borough Manager.

The Facilities may be reserved by Groups for meetings, social service functions, or events that recur weekly or monthly, or otherwise will occur on an ongoing basis, from 8:00 a.m. until 11:00 p.m. Monday through Sunday, subject to availability and discretion of the Borough Manager.

Use of the Facilities is not permitted outside of such hours and days of operation, except as specially permitted by the Borough Manager or for Borough-sponsored events.

Facilities are not available for use when a holiday is observed and offices are closed except through special arrangement with the Borough Manager.

The hours reserved must include set-up and clean-up time. All individuals associated with the event must vacate the facility by the indicated ending time. The hours for an event may not be extended without approval of the Borough Manager.

3. Reservation of Facilities

- a. **Application.** In order to reserve the Facilities for limited use, a member of the public or a representative of a Group (hereinafter “Applicant”) must submit an application on the Borough’s form to the Borough Manager for the Manager’s approval. The application form is available at the Borough Office, or may be accessed electronically through the Borough’s website, www.narberthpa.gov. A complete application must be submitted at least two (2) weeks prior to the date of proposed usage and in sufficient time so as to allow the Borough Manager to consider the application. The Borough Manager has the right to waive the time requirement of this section at his or her sole discretion.
- b. **Indemnification.** The Applicant, individually or on behalf of a Group, shall agree to indemnify, defend (at Applicant's expense with attorneys reasonably acceptable to the Borough who shall use their best efforts on behalf of the Borough) and hold harmless the Borough, and the Borough's representatives, servants, agents, employees, or invitees, from and against any claim or liability or loss or expense (including reasonable attorney's fees) from personal injury, property damage, or any other claim of loss resulting from or arising out of the use of the Facilities, the Applicant's event, the Applicant, and/or the Groups, including but not limited to, the Borough's representatives, servants, agents, employees, or invitees.
- c. **No Sublet or Assignment.** The Applicant or the Group shall not be permitted to assign or sublet its right to the use of the Facilities to any other individual, group or organization.

- d. **Recurring Users.** Applicants seeking to reserve Facilities for events or activities that recur weekly or monthly or otherwise on an ongoing basis shall enter into a written agreement, to be renewed annually, with the Borough of Narberth denoting the schedule of their use of the Facilities, the nature of their use, and fees for use.
- e. **Prioritization of use.** While the reservation of Facilities will generally be permitted on a first-come, first-served basis, conflicting requests for the use of Facilities will be prioritized by the Borough Manager, at the Manager's sole discretion, on the following basis:
 - i. Official Borough of Narberth government or administrative operations;
 - ii. The Borough of Narberth government-sponsored or co-sponsored events;
 - iii. The Borough of Narberth-based government boards, committees, groups, commissions, associations and organizations (i.e., Zoning Hearing Board, Parks and Recreation Board); and
 - iv. Non-profit or not-for-profit committees, groups, commissions, associations and organizations affiliated with the Borough of Narberth and which primarily serve residents of the Borough of Narberth
 - v. Other organizations with members who are residents of Narberth or individual members of the public who are residents of Narberth.
- f. **Cancellation by Borough.** The Borough reserves the right at any time to prohibit, cancel, rescind or limit the use of the Facilities, regardless of prior approval for use, for any reason whatsoever. The Borough shall endeavor to provide approved Applicants with a minimum of forty-eight (48) hours advance notice before cancelling prior approved usage of the Facilities. In accordance with terms of paragraph 3.b above (Indemnification), the Applicant shall indemnify, defend and hold harmless the Borough and the Borough's representatives, servants, agents, employees, or invitees, from and against any claim related to the cancellation or rescheduling of an event.
- g. **Cancellation by user.** Cancellations will only be accepted from the Applicant (i.e., the person who signed the reservation application). Every effort should be made to cancel meetings by calling the Borough Office (610-664-2840) no less than one week (7 days) prior to the scheduled event. Cancellations less than one full business day prior to the event will forfeit deposit if the Borough has incurred a cost as a result of the scheduled event. The Borough Manager has the right to waive the time requirement of this section at his or her sole discretion.

4. General Regulations

- a. Except in the case of Recurring Users, the Applicant must be in attendance for the duration of the reserved use of the Facilities.
- b. Users of any Facilities must comply with facility occupancy limit(s) for the proposed uses.
- c. All users of the Facilities must respect the condition of the Facilities and equipment. No person shall damage, deface, destroy or remove Borough property or equipment. The Applicant is responsible for any and all damage and loss to the Facilities that occur as a result of the reserved use.
- d. Damage to furniture, fixtures, walls, or floors must be reported to the Borough within twenty-four (24) hours of the occurrence of the damage. Costs to clean or repair damage will be invoiced to the Group using the Facilities, or to the Applicant, and shall be paid in full within 30 days of the date of the invoice. Failure to pay within 30 days shall result in an additional penalty of \$50. The Borough reserves the right to file suit to collect damages or recover all costs, plus interest, related to such cleaning, repair or replacement. If such a suit is pursued, the Applicant agrees to pay all fees and costs of recovery and litigation, including the Borough's reasonable attorneys' fees associated with the suit.
- e. No storage of materials is permitted, except for Recurring Users with the agreement of the Borough Manager. The Borough is not responsible for any loss of, or damage to, the stored materials.
- f. The area of usage must be kept clean and orderly. The Applicant is responsible for ensuring that: all guests abide by the rules and regulations set forth in this policy; that the facilities are returned to their original condition at the conclusion of the reserved time; and that all trash and recycling is placed in proper receptacles.
- g. The Applicant is responsible for ensuring appropriate supervision of all participants of the event. Individuals present at the Facilities for reserved usage younger than eighteen (18) years of age may not be left unattended or unsupervised.
- h. No use of tobacco is permitted.
- i. Open flames of any kind are prohibited.
- j. The Applicant is responsible for ensuring that the noise level of their event does not interfere with other users of the building.
- k. Free WIFI access is available according to the Borough's WIFI Public Use Policy. The Borough makes no guarantee to the availability or proper functioning of WIFI access.
- l. The Facilities may not be used for commercial activity or soliciting, or any other for-profit events or ventures.

- m. Applicants that propose serving alcoholic beverages during an event, whether for sale or not, shall provide the Borough with a certificate of insurance naming the Borough as an additional insured party with liability coverage in an amount equal to that of the Borough's general liability policy in effect as of the date of the proposed event.
- n. The Borough of Narberth, the Applicant and Groups shall comply with all applicable federal, state and local laws governing nondiscrimination, including any revisions or additions to such laws. Pursuant to such laws, the Borough of Narberth, the Applicant and Groups shall not discriminate in regards to matters of public accommodations related to the Facilities or the Applicant's event.

5. Fees

- a. **Deposit and Fee Exemptions for Public Events:** No deposit or room fee is required for any free event that is open to the public. These include events held by individuals and by volunteer government and non-government service Groups which include but are not limited to: all elected or appointed boards and commissions, the Narberth Fire Company, the Fourth of July Committee, the Narberth Civic Association, Friends of Sabine Park, the Narberth Business Association, N.I.C.E., Narberth Community Library, scout troops, school groups and all Narberth Borough Home-Owner Associations. It will be at the discretion of the Borough Council to determine exemption eligibility for other mission-based community organizations not named here. In addition, no deposit or room fee is required for fund-raising events open to the public that are sponsored by non-profit organizations.
- b. **Deposit and Fee Requirements for Private Events:** A deposit and a room fee is required for events that are not open to the public with the exception of Executive Sessions of Borough Council and events sponsored by active and life members of the Narberth Fire Company for which no deposits or fees are required. Groups or individuals are expected to leave the facilities in a clean condition, arranged in the same manner that existed prior to their use. Any Group or individual that fails to comply with this regulation will forfeit their deposit. Additional amounts may be charged for custodial services. Any damage to furniture, fixtures, and/or carpets/floors will be repaired and invoiced to the Group or individual using the Facilities (see General Regulations).
- c. **Payment terms.** All rental fees are due and payable prior to room occupancy. Rental fees are refundable with no less than one week (7 days) notice to the Borough Office.
- d. **Recurring Users.** Fees for recurring users shall be set forth in a written use agreement subject to the discretion and approval of Borough Council.
- e. **Fee Table.** The Fee Table is available with the application on the website or from the Borough Office.